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August 30, 2023

ABZ
CJA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x
THOMAS LAMARCO and DIANE LAMARCO,
Plaintiffs,

Index No.

- against -

22 Civ. 4629

SUFFOLK COUNTY, New York, Commissioner RODNEY
HARRISON, Individually and in his Professional
capacity, Captain WILLIAM SCRIMA,
Individually, Sgt. WILLIAM WALSH,
Individually, Police Officer "John" PLIHCIK,
Individually, and "JOHN DOES 1-5",
Individually,

Defendants.

-----x
100 Veterans Memorial Highway
Hauppauge, New York

August 30, 2023

10:07 a.m.

EXAMINATION BEFORE TRIAL of
DIANE LAMARCO, Plaintiff, taken by Defendant,
pursuant to Federal Rules of Civil Procedure,
and Order, held at the above-noted time and
place, before Kristen Stein, a Stenotype
Reporter and Notary Public within and for the
State of New York.

Lexitas Court Reporting
800-678-0166

COPY

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(1) D. LAMARCO

(2) A. No.

(3) Q. Just very heavy?

(4) A. Yes.

(5) Q. Did the officer ask you to open
(6) the safe?

(7) A. I don't remember if he asked me,
(8) I may have just shown him.

(9) Q. When the officers asked you if
(10) you had weapons in the home, and you told them
(11) you did, did they give you instructions to do
(12) anything?

(13) A. No.

(14) Q. Did anyone from the police
(15) department come to your home at any time to
(16) take weapons?

(17) A. No.

(18) Q. Now, the first time your son was
(19) seen at Mather and then Eastern Long Island,
(20) did you contact the police department to let
(21) them know about that treatment?

(22) A. The police had come to the -- the
(23) police had come to the house and I told them.

(24) Q. Did you make a separate contact
(25) to the police department to notify them that

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- (1) D. LAMARCO
- (2) your son had been treated in the hospital for
- (3) his mental health?
- (4) A. No.
- (5) Q. Have you ever notified the police
- (6) department that your son was being treated in
- (7) the hospital for his mental health?
- (8) A. Only the officers that showed up
- (9) at the house.
- (10) Q. Other than speaking with the
- (11) officers that were present in your home, have
- (12) you ever notified the police department that
- (13) your son, Matthew, was receiving treatment for
- (14) his mental health?
- (15) A. No.
- (16) Q. Do you know if your husband did?
- (17) A. I don't believe he did.
- (18) Q. Was there any reason you did not?
- (19) MS. BELLANTONI: Objection, you
- (20) can answer.
- (21) A. I didn't know I was supposed to.
- (22) Q. When did you find out that you
- (23) were supposed to do that?
- (24) MS. BELLANTONI: Objection, you
- (25) can answer.

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(1) D. LAMARCO

(2) to get your weapon back?

(3) A. I don't think so.

(4) Q. Did you speak with your husband
(5) after dropping off your weapon about taking
(6) any steps to get your license or your weapon
(7) back?

(8) A. Probably.

(9) Q. Did you speak with anyone other
(10) than your husband about steps you could take
(11) to get your license or weapon back?

(12) A. I did speak with my son's doctor,
(13) I think there was something in the letter
(14) about having a -- a note from his doctor.

(15) Q. Which doctor is it that you're
(16) referring to?

(17) A. Francis Dooley.

(18) Q. When did you speak with
(19) Dr. Dooley about that?

(20) A. Shortly after receiving the
(21) letter.

(22) Q. Had someone instructed you to do
(23) that or that was something you decided on your
(24) own to do?

(25) A. No, I think there was something

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(1) **D. LAMARCO**

(2) **in the letter that said something about**
(3) **getting a -- a note from the doctor.**

(4) Q. And you, personally, spoke with
(5) Dr. Dooley about this?

(6) A. I did.

(7) Q. What did that conversation
(8) involve?

(9) A. He was willing to write the
(10) letter saying that Matthew was not a danger to
(11) himself or to anybody else, and he was -- he
(12) was willing to write it. When he showed the
(13) letter to -- he told me that his boss says we
(14) don't do that. So, it was never sent in.

(15) Q. Did he explain to you what his
(16) boss meant by "we don't do that"?

(17) A. No.

(18) Q. Did you, personally, see the
(19) letter?

(20) A. No.

(21) Q. Did you speak with his boss about
(22) getting the letter sent?

(23) A. No.

(24) Q. To the best of your knowledge,
(25) did Dr. Dooley have any contact with anyone at